

# **EXHIBIT B**

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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VIVINT, INC. (formerly APX ALARM  
SECURITY SOLUTIONS, INC.),

Plaintiff,

v.

ELITE SECURITY SERVICES, INC. a Utah  
corporation, CHASE ERICKSON, TAYLOR  
HARRIS, BEN AYALA, ERIC GEELS,  
JEFF CONNOR, TUA LINO, STEVEN  
FRIEDMAN, ADAM JADEN, LEWIS  
MILLER, JEFF PICKERING, DEVIN  
STRONG (individuals) and JOHN DOES I  
through X,

Defendants.

**ORDER GRANTING MOTION IN  
LIMINE**

Case No. 2:12-cv-00692

Judge Clark Waddoups

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On May 31, 2013, the court heard oral argument on Plaintiff's Motion in Limine to Admit Audio Recordings (Dkt. No. 34).

For the reasons stated on the record, the court GRANTS the motion with the following qualifications: this Order recognizes that the audio recordings would be admissible at trial provided that adequate foundation can be laid for them at the time they are used and depending on the purpose for which they are proffered.

Accordingly, Defendants will have the burden of deciding whether to depose the Vivint customers whose calls are included in this set of audio recordings. The court is sensitive to concerns raised about the difficulty of deposing this number of witnesses for such limited purposes and recommends that the parties consider alternative methods for taking these depositions, to the extent that Defendants deem this necessary, such as by telephone or Skype.

SO ORDERED this 31st day of May, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups  
United States District Judge